

10/807,880

REMARKS

Claims 1-5 and 7-9 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. The rejected claims are accordingly amended, by the above claim amendments, and the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised § 112, second paragraph, rejections. The entered claim amendments are directed solely at overcoming the raised indefiniteness rejection(s) and are not directed at distinguishing the present invention from the art of record in this case.

Claims are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Pieper '170 in view of Hodshon '015. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the following remarks.

In accordance with the telephone discussion with the Examiner and the indication that claim 8 recites allowable subject matter, the Applicant has amended claim 1 to include the subject matter of claim 8 which is currently not rejected, and thus the subject matter of newly amended claim 1 is therefore believed to be allowable.

As the subject matter of claim 8 in combination with claim 1 as amended is believed to be allowable, Applicant believes this application is now placed in condition for allowance and that claims 2-5, 7 and 9 are dependent either directly or indirectly on amended claim 1 and therefore are also believed to be allowable.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

10/807,880

In view of the foregoing, it is respectfully submitted that the raised rejections should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,


Scott A. Daniels, Reg. No. 42,462
Customer No. 020210
Davis & Bujold, P.L.L.C.
112 Pleasant Street
Concord, NH 03301-2931
Telephone 603-226-7490
Facsimile 603-226-7499
E-mail: patent@davisandbujold.com